

CLEAN GOVERNMENT INITIATIVE

MAINE DEPARTMENT OF TRANSPORTATION

BIENNIAL PLAN

JUNE 3, 2002

Revised and final August 5, 2002.

Submitted in revised and final form to the directors of the Clean Government Initiative:

Martha Kirkpatrick, Commissioner, Maine Department of Environmental Protection
Janet Waldron, Commissioner, Maine Department of Administrative & Financial Services



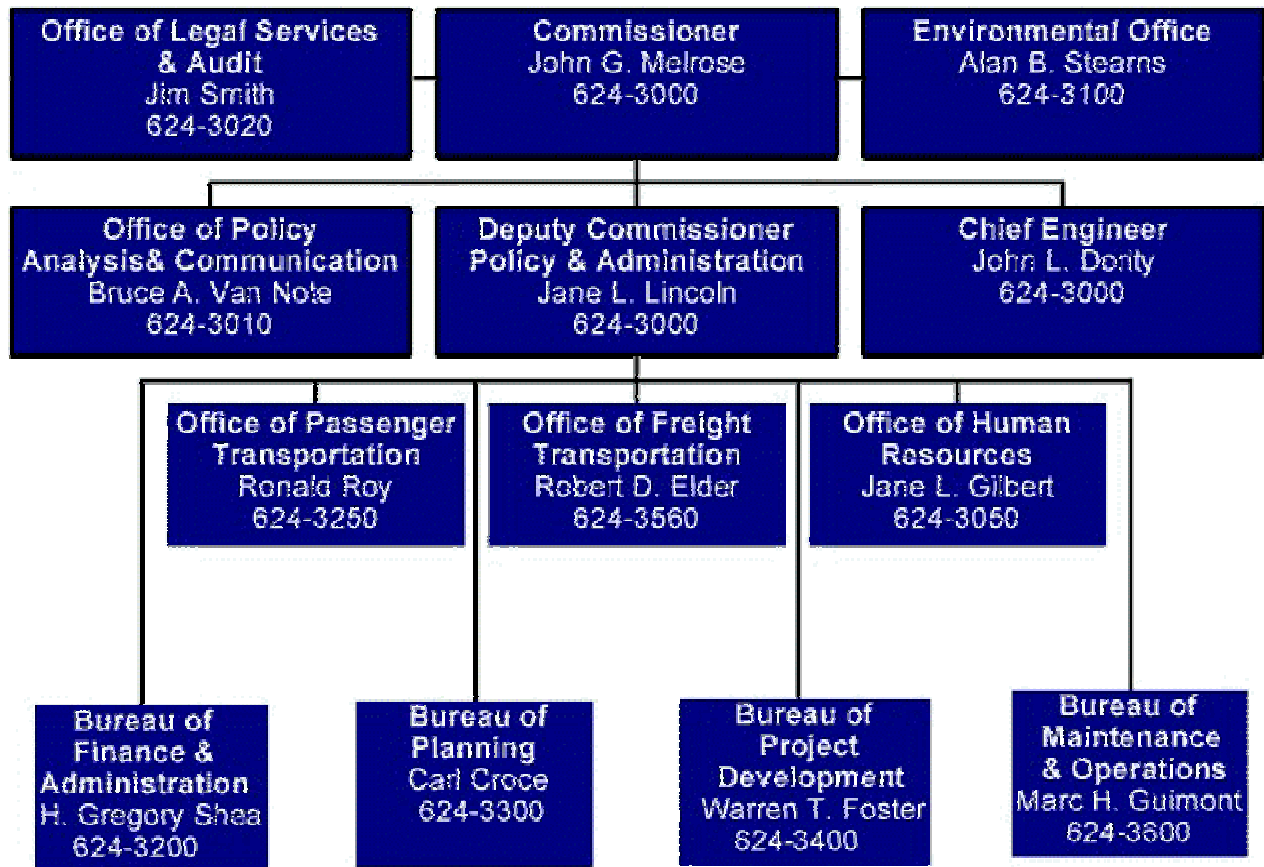
By:

Alan Stearns, Director
Maine DOT Environmental Office
Alan.Stearns@state.me.us

Christine Olson, Manager
Water Resources & Hazardous Waste
Maine DOT Environmental Office
Christine.Olson@state.me.us

Maine DOT
16 State House Station
Augusta, ME 04333
(207) 624-3100
<http://www.maine.gov/mdot/env>

State of Maine Department of Transportation Organizational Directory



Maine DOT Vision: The Maine Department of Transportation will create and maintain a safe, efficient and economical transportation system that is cost effective, energy efficient, environmentally sound and responsive to the diverse needs and values of the people of Maine.

Maine DOT Environmental Office Mission: The Environmental Office leads the Department in proactively integrating transportation and environmental objectives and innovations as the Department plans, develops, operates, and maintains Maine's transportation systems.

ENVIRONMENTAL POLICY STATEMENT

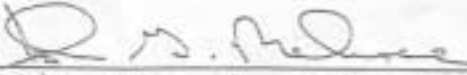
It is the Vision of the Maine Department of Transportation that we "... will create and maintain a safe, efficient and economical transportation system that is cost effective, energy efficient, environmentally sound and responsive to the diverse needs and values of the people of Maine and the Nation". In accomplishing this, we recognize that the Department's actions can, and often do, impact environmental resources. We understand that the public expects us to deliver our services and products in a way that protects and enhances environmental resources. We appreciate that these resources are the basis of our quality of life and have tremendous economic and social value.

It is therefore the policy of the Maine Department of Transportation that we continuously evaluate our actions for their impacts upon environmental resources and that we conduct our activities so as to avoid and minimize those impacts. It is our desire to deliver safe and efficient transportation systems and to protect and enhance environmental resources. It is not a question of either one or the other. It is a matter of delivering both.

To accomplish this, the Department will:

- develop and utilize an Integrated Transportation Decision-making process (ITD) regarding transportation projects that incorporates environmental considerations from the earliest planning stage through construction and maintenance;
- evaluate areas that need improvement regarding protection of the environment and implement the changes necessary to make those improvements;
- conduct a review of our organizational structure and culture regarding environmental responsibilities and make the changes necessary to strengthen that structure and to change the culture where appropriate;
- partner with Federal and State environmental agencies to identify and collaborate on reaching goals of mutual interest; and
- make environmental protection part of every employee's job expectations.

As Commissioner, I am personally committed to making this policy work. It is what the public expects of us, it is an investment in our future, and it is simply the right thing to do. I will hold each employee accountable for his/her part of the Department's commitment to the protection and enhancement of Maine's environmental resources as we carry out our Transportation responsibilities.


John G. Melrose, Commissioner
Date: 11/5/99

I. Introduction.

The Clean Government Initiative, established in statute by the Maine Legislature in 2001, sets expectations for state agencies to comply with environmental laws and to systematically incorporate sustainable practices. See <http://www.maine.gov/purchase/Cleangovt/homepage.htm> Maine DOT's Environmental Office is coordinating Maine DOT's participation in the Clean Government Initiative.

Increasingly environmental issues within the department are being addressed by integrating environmental expectations within the primary functional systems of the department, moving away from the more traditional model of expertise and service functions staffed by the Environmental Office. Successful new environmental assignments within key bureaus (most recently within the Bureau of Planning and the Bureau of Maintenance & Operations) illustrate the trend of full integration of environmental processes with day-to-day decision-making at all levels.

The Clean Government Initiative's focus on sustainable practices and management systems provides additional momentum toward the integration of environmental issues and department practices. The priorities and goals identified by Commissioners Waldron and Kirkpatrick as directors of the initiative include not only compliance with established environmental laws long applied to Maine DOT, but also priorities and goals encompassing new approaches to environmental management -- full-cycle environmental analysis, procurement practices, beneficial reuse, energy usage, fleet management, and other sustainable practices.

These new expectations require reflection on the traditional organization and responsibilities of the department. The initiative continues the challenge to create environmental systems which function largely separately from the traditional service functions and scientific expertise of the Environmental Office, to take on emerging environmental challenges and issue areas without adding specialized expertise or staff or expanding the Environmental Office.

The statutorily required biennial plan contained in this document includes initiatives within nearly all bureaus or offices of the department, and also recognizes overarching department-wide systems. In this context, the Environmental Office's coordination of the Clean Government Initiative supports more primary commitments of management and staff in the other offices and bureaus of the department.

The success of the Bureau of Maintenance & Operations (M&O) in recent years developing a compliance-based Environmental Management System (EMS) provides a starting point for the department's most ambitious recommendations in this biennial plan towards systematization of environmental issues beyond compliance, towards integrated and sustainable practices. The focus of the Clean Government Initiative to date on state agency facilities points toward a continued focus on M&O under this initiative, since M&O is responsible for Maine DOT's four hundred garages and other buildings, our fleet of 1600 vehicles, and our routine maintenance functions including plowing, ditching, paving, striping, sweeping, etc.

While M&O presents opportunities for sustainable practices, the environmental footprint of the department is much larger. The biennial plan below addresses facilities and practices across the department. The magnitude of the systems that govern departmental planning and project development, however, are complex enough that this plan does not recommend a full departmental EMS or a full EMS for bureaus beyond M&O. This plan recommends steps forward, with additional work on the horizon for later biennia.

Finally, this plan notes ample examples where Maine DOT's management of environmental opportunities can only be accomplished with active teamwork with other state agencies, especially in the areas of recycling, procurement, and fuel & energy planning. We look forward to increased dialog within the context of the Clean Government Initiative to take advantage of needed multi-agency synergy.

II. Successes to Date

Maine DOT has substantially completed the statutory requirement of the Clean Government Initiative to "complete or demonstrate completion of an audit of its facilities to determine compliance with applicable state and federal environmental laws" through compliance-based audits or legal compliance Environmental Management Systems (EMS) in the Bureau of Maintenance & Operations (M&O), the Office of Passenger Transportation (Maine State Ferry Service) and the materials & chemicals testing laboratories and construction sites of the Bureau of Project Development. Facilities that have not yet been included in systematic audits include BGS-controlled departmental headquarters, and transportation facilities (highways, rail, etc.). These facilities are either covered under different compliance approaches, or have been assessed as lower-risk for prioritization.

The department's interface with Maine's environment is extensive, and any analysis of the department's role in fostering environmental sustainability must include the department's primary role to develop and manage transportation systems statewide. These transportation systems interact in complex ways with communities, the economy, and ecosystems. As such, it is nearly impossible to draw the line between the Clean Government Initiative and parallel broader initiatives addressing smart growth, climate change, or sustainability. The successes highlighted below touch both on the inward-looking sustainability of Maine DOT operations and facilities, but also on outward-looking sustainability related to planning and development of transportation systems statewide.

IIA. Successes to Date: Bureau of Maintenance & Operations

In 1993, the Bureau of Maintenance & Operations (M&O) began a compliance-based EMS of internal environmental and safety audits based on an M&O environmental and safety policies and procedures manual and the Maine DOT "Greenbook" which describes those policies and procedures in a simple, accessible reference format for daily use by M&O staff. Each M&O facility and its vehicles are audited every three years, with resulting Corrective Action Reports assigned to M&O management for response and timely closure.

The M&O audit system has been expanded in recent years to include safety, limited construction field sites (Bureau of Project Development), M&O field sites, and M&O herbicide storage and practices. The policies & procedures and thus the audits are also regularly updated to integrate new laws or expectations. Most recently, revisions have integrated new guidance on universal wastes, floor drains, and other issues.

Development of the EMS cost tens of thousands in consulting fees, and ongoing implementation requires considerable investment in management time, auditor time, and auditor training. Nonetheless the costs associated with the EMS pale in comparison to the direct and indirect fiscal benefits. While most other state DOTs in the region have paid extraordinary penalties resulting from EPA inspections, Maine DOT has been similarly inspected with no penalties and only constructive input on practices. OSHA penalties have also been reduced. In all cases of recent enforcement discussions with Maine DEP, the M&O EMS was used as a tool to address identified risks -- most notably by including field/construction audits and revised floor drain policies. Indirect fiscal benefits include cost reductions from procurement review, recycling, and material and transportation reductions. A systematic and managed reduction in the number of large quantity hazardous waste generator sites, as an example, has reduced compliance infractions and reduced management workload. The EMS has also led to improved staff morale and decreased risks to worker health and safety.

Many compliance initiatives in M&O have required substantial capital investment. Maine DOT has dramatically reduced risks to Maine's environment by investing millions of dollars in a variety of areas. A partial list of such investments includes lead paint containment, removal or replacement of underground fuel storage tanks, elimination of injection wells under floor drains, and construction of sand/salt storage facilities.

A committee of M&O, Environmental Office, and Human Resources (safety) management meet quarterly to oversee the EMS. In 2001 this committee was expanded to include all top managers in M&O and Environment. The agenda was expanded to include not only the EMS, but management discussions on emerging technologies, materials, public expectations, and practices. Typical agenda items beyond the EMS include fleet management, alternative fuel markets, evolving NPDES II guidance, anti-icing alternatives and practices, and sand/salt storage. Briefly, a sampling of environmental efforts in M&O beyond the compliance EMS include:

- Three new (2001) Environmental Coordinator positions located in regional division offices for improved technical assistance.
- Establishment of a new (2001) facilities manager position.
- Salt Priority initiative combining research, training, and technology (\$1.7M raised by the Legislature in 2002) to reduce salt usage and dramatically reduce winter sand usage while maintaining mobility and safety standards.
- Proactive maintenance of historic bridges, fish ladders, and other structures.
- Proactive coordination with watershed and community groups for litter control, watershed restoration, community beautification, and other initiatives.
- Sustained enforcement of the nation's premier anti-billboard laws.

- Reduction in herbicide use through strategic use of ground cover species, training, and management with a clean record in calendar year 2001 before the Board of Pesticide Control.
- Systematic replacement of many traffic signals with energy efficient LED bulbs.
- Conversion to latex paint for traffic striping.
- Recycling of used motor oil for heating fuel.
- Reduction of hazardous materials and centralized procurement of chemicals through M&O Motor Transport.

IIB. Successes to Date: Bureau of Project Development

Construction sites of the Bureau of Project Development are included in the M&O EMS audit protocols described above, though the primary system for compliance on construction sites stems from technical assistance, contractual specifications, permit conditions, and project/construction management.

In 2002, a compliance-based EMS was established for the Bureau of Project Development's materials and chemicals testing labs. The policies & procedures manual is complete, with an internal audit scheduled for the summer of 2002, comparable to the audit process described above for M&O.

Briefly, a sampling of other environmental successes of the Bureau of Project Development include:

- Restructuring of staff and processes (project management model) to allow better accountability/follow-through of all issues, including environmental issues, holistically through both design and construction, aligned with restructured Environmental Coordinator positions in the Environmental Office.
- Redefined project development processes, especially in the Urban & Arterial Highway Program, allowing systematic and efficient integration of environmental considerations, including landscape architecture, in all projects. Recent Route 9 reconstruction projects received international recognition for best practices in erosion & sedimentation control.
- Redefined project development standards, especially the Collector Highway Improvement Program, result in reduced costs, accelerated schedules, reduced resource impacts, and increased community acceptance. For example, redefined standards for shoulder widths and realignment of collector highway projects significantly reduce wetland and landscape impacts.
- Continued integration of research and best practices for beneficial reuse of waste products, onsite recycling, reduction of construction truck trips, and innovative material usage. For example, Maine DOT use of waste tires as construction material has become routine and dramatic contribution to the reduction of waste tire piles statewide. On-site recycling of asphalt through new technologies saves time, money, and resources.
- Capital investments to support cultural and natural resources, using both federal "Enhancement" funds and also routine state/federal capital funds. Examples include restoration of historic bridges; coastal restoration through elimination of tidal restrictions

beyond permit requirements; construction of non-highway facilities including multi-use trails, marine facilities, recreational or fishing enhancements to bridges; aggressive construction of rail and intermodal facilities.

IIC. Successes to Date: Office of Passenger Transportation

In 2002, a compliance-based EMS was established for the Office of Passenger Transportation's (Maine State Ferry Service) terminal facilities. The policies & procedures manual is complete, with initial internal audits complete, comparable to the audit process described above for M&O. The Office of Passenger Transportation (OPT) plays a leading role in the development of non-highway alternatives, traffic demand management, and statewide clean air and smart growth strategies. Briefly, a sampling of OPT environmental successes includes:

- State-wide strategic plan (Explore Maine) for public/private investments in non-highway excursion services including passenger rail, high speed ferries, bike trails, urban waterfront development, intercity bus service, and airports. Delivered success under the umbrella of the strategic plan includes: successful restoration of passenger rail service through Amtrak's *Downeaster*; urban investments on waterfronts along the planned marine highway; and extensive investments in East Coast Greenway trail network.
- Coordinated investments in clean transit vehicles and alternative fueling infrastructure for transit systems. As examples, new or improved transit systems and new clean transit vehicles in Bar Harbor, Bethel, Portland, and other regions are fundamentally transforming ridership patterns, land use opportunities, and traffic and parking demand while improving air quality.
- Coordinated statewide carpool strategies, state employee vanpools, bicycling education and advocacy.
- New financial incentives for municipalities to support transit. (PL 2001 c. 681)

IID. Successes to Date: Office of Freight Transportation

- The Office of Freight Transportation maintains a state-wide strategic plan for public-private investments facilitating freight transportation. With a focus on increased competitive market options for intermodal freight transportation, Maine DOT has led the nation with innovative use of Federal Highway Administration Congestion Mitigation & Air Quality (CMAQ) funds to develop truck-rail and marine-truck intermodal facilities and equipment.
- OFT plays a lead role in the application of commercial vehicle technologies. Transponder and other technologies allow air quality improvements by reducing inspection time and thus reducing idling and congestion.
- OFT administers Maine's Small Harbor Improvement Program (SHIP) which sustains Maine's commercial fishing resource economy through infrastructure investments.

IIE. Successes to Date: Bureau of Planning

To the extent that the Clean Government Initiative recommends the implementation of Environmental Management *Systems*, the role of the Bureau of Planning in the development of Maine DOT's various transportation management *systems* is relevant. Planning maintains bridge management systems, pavement management systems, safety management systems, and traffic modeling. Each of these systems is designed with similarities in structure and theory to environmental management systems. Planning also takes a lead role in various strategic planning or sustainability initiatives.

Though this biennial report makes no specific Clean Government or EMS recommendation regarding Planning, the role of Planning in environmental issues within the department is growing, and will continue to evolve. A sampling of Planning's environmental roles and successes includes:

- Creation of a new (2000) Environmental Coordination & Analysis unit within the Bureau of Planning, fully integrating federal environmental (NEPA) analysis with state (STPA) alternatives analysis, and with traditional project and system planning processes. The new unit within the Bureau of Planning is integrated with Planning's continued role in community impact analysis, community & land use planning functions, air quality impacts, noise analysis, and the programming of environmental fund sources such as federal Enhancement and Congestion Mitigation & Air Quality (CMAQ) funding.
- Annual funding (MOA through June 30, 2005 at \$750,000) of Maine DEP's efforts to reduce air emissions from mobile sources, and to educate the public on air quality and energy issues related to transportation. Detailed support includes: emissions inventories, air quality monitoring, public education, oversight of the State Implementation Plan for Air Quality, conformity determinations, LEV programs, Heavy Duty Diesel Testing and High Pollution Vehicle Pilot Programs.
- Compliance with the Clean Air Act, requiring documented annual reductions in Maine DOT's contribution to ozone precursor emissions.
- Research and coordination of federal/university research efforts relating to transportation & the environment, including beneficial reuse, new materials, new technologies, and habitat restoration.
- Public outreach on environmental issues, including oversight of Regional Transportation Advisory Committees.
- New "access management" statutes with new standards of review for driveways on rural highways.
- New Recreational Access initiative for fishing, boating and snowmobile water access or water crossings at Maine DOT bridges and highways.

IIF. Successes to Date: Bureau of Finance & Administration

- Maine DOT's aggressive implementation of technology is systematically reducing demand for paper, travel, and transport. Online bidding, online printed resources, paperless payroll, paperless invoicing & expense reimbursement, and web-based distribution of information continue to present successes or opportunities for reduction in paper products. Most recently, TEDOCS (Transportation Electronic Document Organization & Control Systems), a web-based filing system, allows the dramatic

reduction of all paper files at Maine DOT, reducing the need for floor space. Future investments in technology infrastructure will allow continued productivity and efficiency with less demand for resources.

- Maine DOT's Child Street headquarters, under renovation, will showcase best practices in heat and lighting efficiency.

IIG. Successes to Date: Environmental Office

Some of the environmental successes described above under other units result from the technical or policy assistance of the Environmental Office. In some regards, the Environmental Office functions as a consulting unit advancing the objectives of other units. Our support function leads to innovations and compliance in areas including EMS, hazardous waste, groundwater and surface water quality, fish passage, animal passage, biology, wetland mitigation, historical & cultural resources, landscape, herbicide management, hydrology, hydrogeology, and many other areas. We manage the department's 36 public water supplies and wastewater disposal systems at rest areas and other facilities. Our contribution also extends outside Maine DOT, with technical assistance, training, and collaboration with municipalities and other agencies, in areas including well-head protection, erosion & sedimentation control, stream restoration, and removal of tidal restrictions.

Beyond these general services, the Environmental Office administers specific programs or initiatives of its own. The largest initiatives include:

- Scenic Byways program with one designated All-American Road, three federally designated National Scenic Byways, and several state-designated byways, most recently attracting over \$400,000 in federal funds in 2002 for scenic turnouts, signage, and corridor management.
- Community Gateways program investing \$100,000 per year in municipal matching grants to improve streetscape and community gateways.
- Landscape volunteers program working with community groups to build connections between transportation, communities, and the environment through projects including planting trees near transportation facilities.
- Surface Water Quality Protection Program investing \$300,000 per year in mitigating the effects of highway erosion & sedimentation on Maine's lakes, streams, and coastal resources, and educating communities and Maine DOT staff on water quality issues related to highway use.
- Training municipalities, contractors, and Maine DOT staff on implementing programs requiring erosion & sedimentation control plans for all construction or maintenance projects causing soil disturbance.

III. Issue Identification Methodology; Objectives/Targets Selection Process

As directors of the Clean Government Initiative, Commissioners Kirkpatrick and Waldron by letter dated December 19, 2001, identified four priority areas:

- Energy efficiency of fleet vehicles, and of new and existing buildings, whether owned or leased.
- Recycling/recyclability, from procurement to use to ultimate disposal
- Chemicals handling, from procurement to use to ultimate disposal
- Environmental compliance of existing facilities

These priority areas were strongly considered in the development of Maine DOT's Clean Government Initiative biennial plan, below. Our biennial plan was also developed in the context of numerous other planning and policy exercises, documents, or initiatives – and will continue to evolve as these related processes evolve:

- Maine DOT quality council, strategic planning process and statewide performance budget/strategic planning requirements
- Maine DOT Twenty Year Plan and Six Year Plan and related public hearings
- Regional Transportation Advisory Committee annual reports
- Land & Water Resources Council smart growth initiative
- New England Governors climate change initiative
- Maine DOT FY04-05 budget, bond, and legislative direction
- State and federal salmon management plans
- DEP NPDES II implementation and guidance working groups
- DEP/DOT stormwater MOA and DEP stormwater working groups
- DEP beneficial reuse working groups
- State Energy Council (created 2002)

IV. Biennial Plan & Integration of Compliance & Sustainable Practices

Under the Clean Government Initiative statute, Maine DOT is required to “Develop a biennial plan that outlines the actions the agency will take to incorporate compliance efforts and environmentally sustainable practices into its planning and operational functions. To facilitate incorporation into the biennial budget process, these plans must be submitted to the directors [the Commissioners of Environmental Protection and Administration & Financial Services] prior to June 1st of each even-numbered year, beginning in 2002.”

Maine DOT Biennial Plan under the Clean Government Initiative Table 1 of 2: Compliance issues (new emerging issues only)		
ISSUE/DISCUSSION	FY04-05 budget issues	Legislative issues
<p>Issue: Training</p> <p>Discussion: Occasional recent environmental compliance issues (erosion, floor drains) were found to have been caused by inadequate training of Maine DOT employees. Some environmental laws require systematic recorded training. Training is now recorded and tracked manually. Development of a comprehensive training record system is under way, through a new crew payroll system (RFP by July 2002, twelve month implementation) which will allow systematized tracking of training. Systematized tracking of training for exception staff and management depends upon procurement of a statewide tracking system (DAFS). Training on erosion & sedimentation control practices should be sustained at 2001-2002 levels, while training on all environmental issues should be strategic and sustained. Contractor and municipal training is also necessary to assure compliance on Maine DOT projects.</p> <p>Objective: 100% of crew employees will have recorded receipt of appropriate timely environmental training by July 1, 2003.</p> <p>Strategy (1): Inclusion of environmental training into the comprehensive employee training program and training record system implemented through the new crew payroll system. Lead: Helen Wieczorek</p> <p>Strategy (2): Floor drain & environmental sensitivity training for crew supervisors and superintendents, Fall 2002. Lead: Mike Burns</p>	N/A	N/A

Maine DOT Biennial Plan under the Clean Government Initiative Table 1 of 2: Compliance issues (new emerging issues only)		
ISSUE/DISCUSSION	FY04-05 budget issues	Legislative issues
<p>Issue: Executive training, succession planning, leadership & culture</p> <p>Discussion: Occasional recent environmental compliance issues were found to have been caused by inadequate commitment of management. Predicted turnover in management due to demographics & retirement present future risks.</p> <p>Objective: 100% of Maine DOT Maine Management Service employees will have environmental issues evaluated as part of annual performance plans by December, 2003.</p> <p>Strategies: Sustained awareness training, outreach to management, integration of environmental quality in strategic planning and personnel management processes</p> <p>Lead: Alan Stearns</p>	N/A	N/A
<p>Issue: Maine DOT Priority 2&3 sand/salt storage facilities (non-compliance by 4/1/03 with no funded solution.)</p> <p>Discussion: Priority 1 sites are fully addressed. State law requires that Priority 2 state sites be addressed by 4/1/2003. State law requires that Priority 3 state sites be addressed by 1/2005. NPDES II presents the possibility of federal mandates for certain sites in March 2003.</p>	<p>\$2.1M unmet need for Priority 2 sites</p> <p>\$5.5M unmet need for Priority 3 sites</p>	<p>Objective: 100% compliance as measured by availability of funds to meet statutory deadlines existing at close of first regular session of 121st Legislature.</p> <p>Strategy: DOT and DEP (along with MMA and EPA) should begin by September 1, 2002, high level discussions to consider reviewing state law against federal law, reviewing state statutory and regulatory standards, reviewing trends predicting future storage needs, realigning statutory and regulatory deadlines, and/or mobilizing for unprecedented budgetary commitment to the program.</p> <p>Lead (DOT): Alan Stearns.</p>
<p>Issue: Municipal Priority 2&3 salt storage facilities</p> <p>Discussion: State law sets municipal deadlines contingent on notice of available state funds. Roughly \$5.2M in state funds through MDOT's budget would be needed to construct/reimburse all remaining Priority 2&3 municipal sites. Whether federal law requires more prompt action is not clear. (Roughly \$1.6M in reimbursement for already-built Priority 4-5 facilities is linked by formula to the appropriation of any new funds.)</p>	<p>\$0 to \$6.8M</p> <p>P2: \$1.0M P3: \$4.2M P4: \$0.8M P5: \$0.8M</p>	
<p>Issue: Maine DOT Priority 4&5 salt storage facilities</p> <p>Discussion: DEP rules require BMPs on Maine DOT Priority 4&5 facilities by October, 2004. Maine DOT is of the opinion that the DEP rules contain unworkable elements. Rule changes or strategic interpretation of the variance provisions need discussion, in the context of emerging federal guidance. Expenditures on low priority sites must be considered in the context of unmet needs on high priority sites.</p>	<p>\$250,000/yr beginning FY05</p>	
<p>Issue: Municipal Priority 4&5 salt storage facilities</p> <p>Discussion: State law does not apply to municipal Priority 4&5 sites. Federal law (NPDES II) may mandate municipal action on some municipal sites effective March 2003. EPA guidance is emerging.</p>	<p>A federal mandate could create Maine DOT/Highway Fund fiscal expectation.</p>	

Maine DOT Biennial Plan under the Clean Government Initiative Table 1 of 2: Compliance issues (new emerging issues only)			
ISSUE/DISCUSSION		FY04-05 budget issues	Legislative issues
<p>Issue: NPDES II SWPPP plans for certain MDOT facilities, mostly M&O</p> <p>Discussion. Federal law requires a general permit including a Surface Water Pollution Prevention Plan for most Maine DOT garage complexes.</p>	<p>Objective: 100% compliance by November, 2002, as measured by M&O audits</p> <p>Strategy: Required completion by March 2003. Goal of completion by November 2002. In addition to a SWPPP plan, NPDES II requires quarterly facility audits (at a basic standard), in addition to the three-year audits (at a higher standard) currently contained in the M&O EMS.</p> <p>Lead: Mike Burns, Chris Olson.</p>	<p>Additional expectations on M&O management and facilities management time. Worth considering cumulatively in the context of other increasing expectations.</p>	<p>N/A</p>
<p>Issue: M&O Floor Drains</p> <p>Discussion: New Maine DOT policies on floor drains require sustained implementation. Continually emerging guidance from DEP/EPA may result in additional refinement. The amount of floor drain effluent is related to increased truck washing due to high concentration salt use. Floor drain effluent must be increasingly trucked off-site to wastewater treatment facilities. The direct and indirect costs of off-site disposal should be considered against the risks of on-site disposal or alternate methods. The availability of local public treatment systems (POTWs) to accept effluent should be considered and addressed.</p>	<p>Objective 1: 100% compliance, as measured by M&O audits, by July 1, 2002, and ongoing.</p> <p>Objective 2: Benchmark & implement cost-effective disposal options.</p> <p>Strategy: Implementation of new policy. Further analysis, exploration of disposal issues by September 1, 2002.</p> <p>Lead: Marc Guimont</p>	<p>Additional expectations on training, management, disposal costs worth considering cumulatively in the context of other increasing expectations. Maintenance budgeting or accounting processes could be employed to refine budget requests.</p>	<p>Access of Maine DOT (and private entities) to the most proximate public wastewater systems might need to be explored with DEP and perhaps the legislature.</p>

Maine DOT Biennial Plan under the Clean Government Initiative Table 1 of 2: Compliance issues (new emerging issues only)			
ISSUE/DISCUSSION		FY04-05 budget issues	Legislative issues
<p>Issue: M&O installation and maintenance of stormwater BMPs</p> <p>Discussion: Under existing state law and emerging federal guidance under NPDES II, the costs of installation (sediment traps, etc) and maintenance (removing winter sand, etc.) of stormwater BMPs will continue to be a challenge for M&O. Lean M&O budgets with no specific accommodation of stormwater expectations results in division-by-division approaches.</p>	<p>Objective: Sustained 100% compliance as measured by M&O audits and annual DOT/DEP stormwater MOU report & meetings.</p> <p>Strategy: (1) clarification of state and federal guidance (2) adequate budgeted resources, by close of first regular session of 121st Legislature.</p> <p>Lead: Marc Guimont</p>	<p>Additional expectations on M&O maintenance budgets worth considering cumulatively in the context of other increasing expectations. Maintenance budgeting or accounting processes could be employed to refine budget requests.</p>	<p>Proposed changes to DEP Rule Chapter 500 necessary to implement federal delegation of NPDES II to DEP, and resulting implications on the DEP/DOT stormwater MOU, will necessitate legislative review.</p>
<p>Issue: NPDES II response to illicit outfalls in 36 urban areas (MS4s).</p> <p>Discussion: DEP/EPA guidance is emerging regarding urban area stormwater outfalls. Deadlines are phased in over five years (full compliance by 2008). DOT response should be coordinated with municipal public works departments.</p>	<p>Objective: 100% compliance</p> <p>Strategy (year one): Mapping, identification of outfalls, further discussion.</p> <p>Lead: Chris Olson with eventual transfer to M&O</p>	<p>Budget implications are unclear. FY04 may require staff resources for inventory of illicit outfalls and public outreach. DEP may also impose permit fees.</p>	N/A
<p>Issue: Local permits</p> <p>Discussion: Due to growth management incentives, more than 200 municipalities may arguably assert permit jurisdiction over certain Maine DOT projects. Vague language in statutes allows for debate and creates frustration, violations, and/or litigation. Irrespective of permit requirements, improved municipal input on projects is valuable, through BPD or BOP processes.</p>		<p>Absent a change in the law, Maine DOT must hire new staff to handle growing municipal permitting expectations. Project costs might also escalate depending on municipal permit conditions.</p>	<p>Objective: 100% compliance.</p> <p>Strategy: statutory change in 2003 legislative session, with advance input from SPO, MMA, and DEP. Revised internal guidance and realigned staffing to respond to ultimate legislative resolution.</p> <p>Lead: Alan Stearns</p>
<p>Issue: Stream identification, permitting</p> <p>Discussion: Identified by 2002 DEP/DOT stormwater MOA enforcement meeting as a risk area</p>	<p>Objective: 100% compliance, as measured through annual DOT/DEP stormwater MOU meeting input, M&O audits.</p> <p>Strategy: Develop a data base of DEP streams within DOT right of way, by 2003.</p> <p>Lead: Peter Newkirk</p>	N/A	N/A

Maine DOT Biennial Plan under the Clean Government Initiative Table 1 of 2: Compliance issues (new emerging issues only)			
ISSUE/DISCUSSION		FY04-05 budget issues	Legislative issues
Issue: Cofferdam construction standards/review Discussion: Identified by 2002 DEP/DOT stormwater MOA enforcement meeting as a risk area	Objective: 100% compliance, as measured through annual DOT/DEP stormwater MOU meeting input. Strategy: Develop procedures for identifying project site conditions that would require special design considerations, by 2003. Lead: Peter Newkirk	N/A	N/A
Issue: Continued success of M&O legal compliance EMS	Objective: 100% compliance, as measured by M&O audit CAR tracking, a third-party audit, and a lack of state or federal violations. Strategy: (1) Improved tracking of outstanding Corrective Action Reports ongoing, and especially by September, 2002, for review of possible budget issues. (2) Third party audit in calendar year 2003 with independent report to Maine DOT Commissioner on successes/opportunities. Lead: Marc Guimont	Review of Corrective Action Reports by September 2002 may raise budget issues. \$60,000 should be planned for 2003 for a third party audit.	N/A
Issue: Federal salmon recovery plan Discussion: The overdue federal Endangered Species Act salmon recovery plan may have implications on Maine DOT herbicides application, capital investments, or maintenance practices.	Objective: 100% compliance as measured by M&O audits. Strategy: Monitor & review & elevate as appropriate Lead: Richard Bostwick	Uncertain. Unlikely to have clear guidance by preparation of FY04/05 budget. Fiscal impact on WashDOT and Oregon DOT was massive, though habitat in Maine is more rural and habitat degradation issues are less related to infrastructure in Maine as compared to Washington and Oregon.	N/A
Issue: Toxic Use Reduction Act hazardous materials reduction plan	Objective: 100% compliance (documented reduction in hazardous materials usage). Strategy: Prepare plan by July 1, annually, for required annual report. Lead: Chris Olson/Jean Gallant	N/A	N/A

Maine DOT

Biennial Plan under the Clean Government Initiative

Table 2 of 2: Sustainability Issues (new initiatives only)

Objective	Target	Method of Measure	Performance Indicator	Action Plan	Responsible Person	Target Date	Cost	Notes
<p>M&O EMS: The Bureau of Maintenance & Operations, with support of the Environmental Office, agrees to expand its legal compliance EMS to become a more comprehensive ISO14001-modeled EMS including proactive, sustainable activities, under the framework of the Clean Government Initiative's "Twelve Steps for Managing..." document. Many of the activities that will be folded into this larger EMS include activities already underway in M&O -- these activities will be captured and measured and documented. They are described above either in the "compliance" section or the "successes" section -- such as TURA reduction in hazardous materials, reduction in salt usage, strategic integration of research initiatives, quantified air quality benefits from audit vehicle circle checks, etc. M&O also has systems in place or under development that provide a framework for integration of environmental accountability (Maintenance Accountability Program (MAP) and Maintenance Activity Tracking Systems (MAPS)).</p> <p>Additional new, refined, or emerging efforts will also be folded into this more comprehensive EMS. Specific objectives include:</p> <ul style="list-style-type: none"> Quantified reduction in diesel consumption/air emissions through a sustained anti-idling campaign within highway maintenance. Acquisition of a hybrid vehicle within calendar 2002 recognizing the recent award of \$5K in DECD/DOE funds to offset premium costs, with other available budgeted funds. Participation in any evolving Clean Government fleet manager meetings or initiatives, with targets and measurements yet-to-be established by the Clean Government directors (DEP/DAFS). Reduction in state and municipal electricity consumption from traffic signals through installation of LED bulbs in all traffic signals in Maine by 2007. (Dependent largely on available short-term funds resulting in demonstrated long-term benefits. Dialog with DAFS regarding PUC electricity conservations funds is ongoing. Continued discussion might be appropriate for discussion in FY04-05 budget preparation.). Continued research or review of emerging available markets & technologies & materials, including fuels and salt-substitutes. New recycling initiatives, especially focused on batteries and fluorescents bulbs, following (and contingent upon) the leadership of DEP/DAFS. Exploration of the benefits of an M&O waste stream analysis with resulting recommendations for improved management. 					Marc Guimont & Chris Olson	Launched ISO14001 EMS July 2002, aim for completion by end of calendar year.	See note on traffic signal budgets.	Note that guidance or leadership from DEP/DAFS would be most helpful to deploy cost-effective strategic assistance on many issues, especially fleet management, recycling, universal wastes.
<p>SALT PRIORITY: As a part of the M&O expanded EMS described above, M&O's salt priority initiative requires ongoing documentation and evaluation, especially in the context of salt storage discussions discussed above under "compliance." The long term sustainability of salt priority, from a groundwater/geology perspective, must also be considered by better tracking well-claims and well</p>					See compliance discussion	See compliance discussion.		

Maine DOT
Biennial Plan under the Clean Government Initiative
Table 2 of 2: Sustainability Issues (new initiatives only)

Objective	Target	Method of Measure	Performance Indicator	Action Plan	Responsible Person	Target Date	Cost	Notes
testing data.								
STATE FACILITY CONSTRUCTION/LEASING STANDARDS: The Clean Government Initiative law requires all agencies to “Establish standards for leasing or building state facilities consistent with the initiative.” DEP/DAFS appear to be focusing on energy efficiency of all state-owned buildings, not just new construction. Because most of Maine DOT’s facilities are garages or maintenance buildings with energy patterns different from state office facilities, distinctions may need to be made for Maine DOT facilities. For now, our primary focus on energy efficiency is our traffic lights, though we await additional guidance and leadership from DEP/DAFS.								Await DEP/ DAFS guidance.
FUEL INFRASTRUCTURE PLAN: To the extent that the Clean Government Initiative is focused on improved efficiency of state vehicles, the emerging goals and objectives appear to be focused on procurement of efficient vehicles assuming existing fueling infrastructure, though draft Initiative documents do suggest some attention to fueling infrastructure. Maine DOT urges the directors of the Clean Government Initiative to focus especially on opportunities to develop alternative fueling infrastructure. The new state energy council created by the legislature in 2002 may also be a forum for this dialog. The benefits of alternative fueling infrastructure extend far beyond state government facilities or fleets. New York State’s strategic focus on CNG and LNG facilities, and resulting priorities for CNG/LNG state fleet vehicles, chaired by New York’s version of DAFS, is an impressive case study worth exploring.								Await DEP/ DAFS/ SPO guidance.
MAINE DOT STRATEGIC PLANNING: Maine DOT is currently updating its department-wide strategic plan, and at the same time each Maine DOT bureau or office is updating a supporting strategic plan. The current draft departmental plan suggests new environmental language in mission, goal, and objective format. Bureau-by-bureau plans are also developing environmental objectives, measurements, and strategies. These strategic plans, when developed, should be treated as incorporated elements of Maine DOT’s Clean Government Initiative biennial plan. Of particular interest, the effort of the Bureau of Project Development to develop “quality” indicators for its projects will allow the systematization and management of environmental quality issues, such as those described in the “Successes” section, above.								